

AF/2700

Attorney's Docket No.: 080398.P162

Patent

In Re the Application of: David E. Desch
(inventor(s))

Application No.: 09/183,717

Filed: October 30, 1998

For: A System And Method For Providing Digital Video and Audio Broadcast

RECEIVED

JAN 18 2002

(title)

Group Art Unit: 2611

Examiner: Grant, C.

Technology Center 2600

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 27, 2001 of the Examiner rejecting claims 1-52.

The item(s) checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(b):

X a. other than small entity: fee \$ 320.00

_____ b. small entity: fee \$ 160.00

_____ verified statement attached

_____ verified statement was filed _____

_____ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

X Enclosed is a check in the amount of \$ 320.00 for the Notice of Appeal fee.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on November 27, 2001

Date of Deposit

Krista Mathieson

Name of Person Mailing Correspondence

November 27, 2001

01/18/2002 VTRUONG1 00000127 09183717

Date

01 FC:119

320.00 DP

Attorney Docket No. 080398.P162
Application No. 09/183,717

- 1 -

(TNF/pab 10/01/01))

Handwritten signature/initials.

_____ Please charge the Notice of Appeal fee to Deposit Account Number 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

XXX If any additional fee is required, please charge Deposit Account No. 02-2666.
A duplicate of this sheet is enclosed for Deposit Account charging purposes.

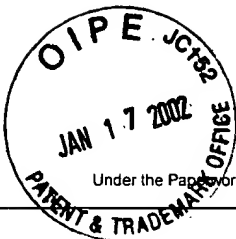
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 11-27-01

Brent E Vecchia

Brent E. Vecchia
Reg. No 48,011

Blakely, Sokoloff, Taylor & Zafman
Seventh Floor
Los Angeles, California 90025
(303) 740-1980



FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) \$320.00

Complete if Known:

Application No. 09/183,717
Filing Date October 30, 1998
First Named Inventor David E. Desch
Group Art Unit 2611
Examiner Name Grant, C.
Attorney Docket No. 080398.P162

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Technology Center 2600

METHOD OF PAYMENT (check one)

1. ☒ [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

- ☒ [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

FIRST CLASS CERTIFICATE OF MAILING
(37 C.F.R. § 1.8 (a))

- ☐ [] Applicant claims small entity status. See 37 CFR 1.27

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

2. ☒ X Payment Enclosed: ☒ X Check
☐ Money Order
☐ Other

FEE CALCULATION

1. **BASIC FILING FEE**

Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80

Fee Description
Utility application filing fee
Design application filing fee
Plant filing fee
Reissue filing fee
Provisional application filing fee

Fee Paid

SUBTOTAL (1) \$ 0.00

2. **EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
103	18	203	9
102	84	202	42
104	280	204	140
109	84	209	42
110	18	210	9

Fee Description
Claims in excess of 20
Independent claims in excess of 3
Multiple dependent claim, if not paid
**Reissue independent claims over original patent
**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	\$320.00
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 320.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Brent E. VecchiaSignature: Brent E. Vecchia Date: November 27, 2001Reg. Number: 48,011 Telephone Number: (303) 740-1980